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Congress of the United States
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COMMITTEE ON ARMED SERVICES

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SUBCOMMITTEE ON TERRORISM,
NONPROLIFERATION, AND TRADE

January 15, 2013

The Honorable Bob Goodlatte
Chairman
House Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515-0001

Dear Chairman Goodlatte:

I write to express my concerns regarding a December 13, 2012 *Wall Street Journal* (WSJ) article on U.S. Attorney General Eric Holder's March 22, 2012 updated guidelines for the National Counterterrorism Center (NCTC).

According to this article, these guidelines provide significant differences from the 2008 guidelines and grant new powers to the NCTC to store dossiers on U.S. citizens, even those not suspected of criminal activity. If true, these allegations raise serious concerns regarding the lack of public and congressional input on these new rules as well as their potential effect on the privacy rights of U.S. citizens. I request that the Committee on the Judiciary hold hearings to question the Attorney General on these rules and further investigate this matter.

According to the *WSJ* article, the NCTC now has the ability to examine the government files of U.S. citizens for possible criminal behavior without suspicion of wrongdoing and has the authority to maintain these data for up to five (5) years for analysis. This is an extreme departure from prior practice, which prohibited the NCTC from storing such information on U.S. citizens unless the person was a terror suspect or part of an investigation.

I also have additional concerns regarding these rules compared to the 2008 guidelines, including that they drop the focus on terrorism information, add the ability to share collected data with foreign governments, and institute emergency conditions to allow NCTC to depart from the guidelines. It is my impression that the Administration has not been forthcoming to Congress about the implementation of these new guidelines, which have been in effect since March 22, 2012. I urge the Committee to hold a hearing to provide additional oversight of the NCTC to ensure the privacy rights of U.S. citizens.

Sincerely,



Tim Griffin
Member of Congress